

REMARKS

Claims 7-14, 19, and 21-38 are pending in the application and are presented for reconsideration and further examination in view of the foregoing amendments and following remarks. Claims 7-14, 19 and 23-38 have been withdrawn from consideration. Under the outstanding Office Action (mailed September 21, 2005), claims 21 and 22 stand rejected under 35 U.S.C. §102 .

Functional Language

In the Notice of Informal or Non-Responsive Amendment, the Examiner pointed out that Applicant has failed to identify the specific "chemical composition" of claims 21 and 22, and failed to provide the specific page and line numbers within the disclosure which describe the claimed chemical composition.

The revised claims are believed to address that issue by specifying that the

"... encapsulant film comprises a chemical composition configured sufficiently to not adversely affect properties of the second portion encapsulant, said properties including ... [several properties specified]." (Claim 21; claim 22 similar.)

It is submitted that the revised claims now adequately describe the chemical composition in a manner such that those skilled in the soldering and wave solder process arts would be able to select the composition without undue experimentation.

The sections of the specification which were previously cited are believed to set forth these parameters.

Under MPEP §2173.05(g) - Functional Limitations

"Functional language does not, in and of itself, render a claim improper." (MPEP §2173.05(g) *citing, In re Swinehart*, 439 F.2d 210, 169 USPQ 226 (CCPA 1971)).

The MPEP goes on to state:

" It was held that the limitation used to define a radical on a chemical compound as 'incapable of forming a dye with said oxidizing developing agent' although functional, was perfectly acceptable because it set definite boundaries on the patent protection sought. In re Barr, 444 F.2d 588, 170 USPQ 33 (CCPA 1971). 2173.05(h)" (*Id.*)

It is submitted that the functional language as set forth in claims 21 and 22 meets these requirements.

Support for Functional Language

The Notice of Informal or Non-Responsive Amendment indicated that the Applicants failed to provide the specific page and line numbers within the disclosure, which describes the claimed chemical composition. The support for the claimed composition as now set forth is found at paragraphs [0042] through [0050], [0065], [0094], and [0103] through [0110], as detailed in Applicants' Response to the Office Action mailed September 21, 2005. Since the claims now recite the functional language in a manner which defines the composition within the meaning of the patent law, the support is believed to properly reflect the parameters stated in the claims.

Applicants also point out paragraphs [0050] - [0055] which specify chemical compositions configured specifically to accomplish the stated parameters:

[0050] In general terms, the adhesive flux 39 comprises a liquid or solid composition which acts as both a primary fluxing agent and a crosslinking monomer or polymer. More specifically, the adhesive fluxes comprise the following:

[0051] A. chemical components with carboxylic acid moieties for fluxing;

[0052] B. chemical components with polymerizable moieties for crosslinking the composition;

[0053] C. a chemical or mechanical mechanism for impeding or preventing the onset of polymerization of the composition until the solder has melted and wetted all the surfaces to be soldered; and

[0054] D. optional solvents, fillers, moderating agents, neutralizing agents, surfactants, modifiers, resins and other additives performing desirable functions and generally known to those skilled in the art.

[0055] A number of compositions are known in the prior art comprising these features, such as described in U.S. Pat. Nos. 5,376,403, 5,088,189, 5,136,365 and 5,128,746. A preferred composition is directed to fluxing adhesive compositions that include a fluxing agent comprising a single active component which is capable of functioning as both a primary fluxing agent and a crosslinking monomer. Generally, depending upon the intended end use, the inventive thermally curable adhesive composition comprises (a) a fluxing agent having a carboxylic acid group and one or more carbon-carbon double bonds, (b) a carboxylic acid neutralizing agent; (c) optionally, a crosslinkable diluent, (d) optionally, a free-radical initiator, and (e) optionally, a resin.

It is noted that the support is given in standard paragraph numbers instead of page and line numbers; however the use of the paragraph numbers is not believed to be an issue. If this is incorrect, Applicants' representatives request clarification and will provide the necessary descriptions in page and line format if this is requested.

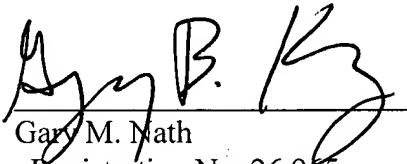
Conclusion

It is respectfully submitted that the application is now in condition for allowance. If it is believed that the application is not in condition for allowance, the Examiner is invited to call the undersigned.

Respectfully submitted,
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